

| | | |
|-------------------------------|-----------------|--------------|
| Notice of Allowability | Application No. | Applicant(s) |
| | 10/090,136 | LIU ET AL. |
| | Examiner | Art Unit |
| | Lisa Hashem | 2614 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 7-31-06.
2. The allowed claim(s) is/are 1-35.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

DETAILED ACTION

1. Applicant's arguments, see After Final Amendment, filed 7-31-2006, with respect to the rejections of claims 1-34 have been fully considered and are persuasive. Therefore, the rejections of claims 1-34 have been withdrawn. Upon close review of the claims, the prior art, and applicant's remarks in the After Final Amendment it appears that the allowance of claims 1-34 are appropriate.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

The integrated circuit of U.S. Patent No. 6,732,176 by Stewart is functionally equivalent to the claimed apparatus and machine-readable medium including providing available network services through a wireless access point device. Although Stewart teaches private mode (e.g. higher access level to view local resources on a local network and have access to Internet) and public mode of operation (e.g. lower access level to have access to limited local resources) (Stewart: col. 12, lines 11-29; col. 14, line 57 – col. 15, line 5; col. 15, line 29 – col. 16, line 37), Stewart fails to disclose broadcasting or wirelessly transmitting a synchronization signal from a wireless access point device indicating one of a plurality of modes of operation for the access point, the plurality of modes of operation including a private mode of operation for authorized devices and a public mode of operation for authorized or non-authorized devices, as recited in claims 1-34. Therefore, Stewart does not meet the requirements of the claimed invention.

Further, it would be contrary to the teaching in Stewart to modify the apparatus and machine-readable medium to:

pre-configure or dynamically configure the wireless access point in a mode of operation of the access point in either public or private mode, since Stewart strives to provide a private mode (e.g. higher access level) or public mode (e.g. lower access level) when a portable computing device sends identification information to the access point (Stewart: col. 12, lines 11-29; col. 16, lines 15-37).

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 Form.

5. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



lh
August 28, 2006



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600